



DRAFT PERMIT

STATE OF ARIZONA
AQUIFER PROTECTION PERMIT NO. P- 511421
PLACE ID 691 LTF 58858

1.0 AUTHORIZATION

In compliance with the provisions of Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Articles 1, 2 and 3, Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Articles 1 and 2, A. A. C. Title 18, Chapter 11, Article 4 and amendments thereto, and the conditions set forth in this permit, the Arizona Department of Environmental Quality (ADEQ) hereby authorizes Maricopa County Waste Resources and Recycling Department to conduct post-closure care operations at the Avondale Landfill located within the incorporated limits of the City of Avondale, in Maricopa County, Arizona, over groundwater of the Phoenix Active Management Area (AMA) in Township 1 North, Range 1 West, Section 11, Gila and Salt River Baseline and Meridian

This permit becomes effective on the date of the Water Quality Division Director's signature and shall be valid for the life of the facility (operational, closure, and post-closure periods), unless suspended or revoked pursuant to A.A.C. R18-9-A213. The permittee shall construct, operate and maintain the permitted facilities:

1. Following all the conditions of this permit including the design and operational information documented or referenced below, and
2. Such that Aquifer Water Quality Standards (AWQS) are not violated at the applicable point(s) of compliance (POC) set forth below, or if an AWQS for a pollutant has been exceeded in an aquifer at the time of permit issuance, that no additional degradation of the aquifer relative to that pollutant, and as determined at the applicable POC, occurs as a result of the discharge from the facility.

1.1 PERMITTEE INFORMATION

Facility Name: Avondale Landfill
Facility Address: 10 North Eliseo C. Felix Jr. Way
Avondale, Arizona 85323

Permittee: Maricopa County Waste Resources Recycling Department
Permittee Address: 2919 West Durango Road
Phoenix, Arizona 85009

Facility Contact: Brian Kehoe
Emergency Phone No.: (602) 506-8997

Latitude/Longitude: 33° 26' 14.9196" North **Longitude:** 112° 20' 06.5609" West

Legal Description: Township 1 North, Range 1 East, Section 11

1.2 AUTHORIZING SIGNATURE

Michael A. Fulton, Director
Water Quality Division
Arizona Department of Environmental Quality

Signed this ____ day of _____, 2014

2.0 SPECIFIC CONDITIONS [A.R.S. §§ 49-203(4), 49-241(A)]**2.1 Facility / Site Description [A.R.S. § 49-243(K)(8)]**

The Avondale Landfill (AVL) is a closed landfill facility owned by the Maricopa County Waste Resources and Recycling Department. The site was permitted for use as a landfill pursuant to a Groundwater Quality Protection Permit (GWQPP), Permit Number G-0035-07 issued by the Arizona Department of Health Services (ADHS) on July 25, 1986 and an Arizona Department of Environmental Quality (ADEQ) Notice of Disposal Inventory No. 100148 on December 14, 1999. The AVL is primarily recorded on parcel 500-26-003, approximately 9.83 acres in size, as well as to a limited extent on recorded parcel 500-26-001D, for a total of 11.2 acres used for disposal of solid waste.

The relocation and closure of the AVL from the unlined trenches in the floodplain to the lined excavation at its current location was authorized by ADHS in the 1986 GWQPP. The AVL as it is currently configured was constructed between July and October of 1986. From 1987 through 2009 the City of Avondale operated the site as Coldwater Park with two recreational ball fields and associated infrastructure installed on the final cover system. Maricopa County has been maintaining the post-closure and monitoring conditions required in the GWQPP since the construction of the relocated AVL.

There are currently no industrial activities occurring at the AVL. Process generation potential discharge includes the formation of leachate in the landfill due to infiltration of stormwater and biodegradation of landfilled waste. Leachate generated by the AVL is collected on the primary base lining system and removed from the sump for off-site disposal. The second source of potential discharge is from the landfill gas generation from the biodegradation of landfilled waste. Due to the age of the waste and the potential addition of moisture during operation of Coldwater Park, it is anticipated that the waste in the AVL is highly degraded and is no longer generating appreciable quantities of landfill gas.

This permit transfers coverage for the post-closure maintenance and monitoring of the AVL from the existing GWQPP to this Individual Aquifer Protection Permit (APP).

Depth to Groundwater is approximately 50 to 55 feet below ground surface (bgs) with flow gradient of 5-feet per mile with a west-northwest flow direction.

The site includes the following permitted discharging facility:

Facility	Latitude	Longitude
Avondale Landfill	33° 26' 14.9196" North	112° 20' 06.5609" West

Annual Registration Fee [A.R.S. § 49-242 and A.A.C. R18-14-104]

The annual registration fee for this permit is established by A.R.S. § 49-242 and is payable to ADEQ each year. The design flow is 1.5 gallons per day (gpd). The permittee shall notify ADEQ of any change in the facility contact information according to Section 2.7.7.

Financial Capability [A.R.S. § 49-243(N) and A.A.C. R18-9-A203]

The permittee has demonstrated financial capability under A.R.S. § 49-243(N) and A.A.C. R18-9-A203. The permittee shall maintain financial capability throughout the life of the facility. The post-closure cost is \$14,200.00 per year. The financial assurance mechanism was demonstrated through R18-9-A203 (B) (2).

2.2 Best Available Demonstrated Control Technology [A.R.S. § 49-243(B) and A.A.C. R18-9-A202(A)(5)]

The Avondale Landfill (AVL) existing control technologies satisfies BADCT:

1. The base lining system incorporates a double liner with leachate removal and leak detection capacities to effectively prevent discharge of leachate to the subsurface environments.
2. The final cover system consisting of a 2-foot thick foundation soil layer, one-foot thick low permeability cap with a permeability of 10^{-6} cm/s or less, and one-foot thick vegetative soil layer for erosion protection is consistent with evapotranspiration cover systems installed on

municipal solid waste landfills under current MSWLF regulations.

3. The installation of a synthetic base liner system and soil cover system with gas vents facilitates gas venting to the atmosphere rather than discharging to the subsurface and potentially impacting groundwater. The leachate collection system also serves to vent landfill gas, further reducing the potential discharge of landfill gas to the subsurface.
4. The potential for any discharge to cause or contribute to a violation of an aquifer water quality standard (AWQS) is extremely low based on the characteristics of discharge.
5. The groundwater monitoring history at the site indicates that the existing control technologies are effective in protecting groundwater.

2.2.1 Engineering Design

The design and closure technology was approved by ADHS under the regulatory provisions of a GWQPP, the predecessor to the APP Program.

2.2.2 Site-specific Characteristics

Site characteristics were not considered as part of BADCT for this facility.

2.2.3 Pre-operational Requirements

Pre-operational requirements are not a condition of this permit.

2.2.4 Operational Requirements

If damage is identified during an inspection that could cause or contribute to a discharge, proper repairs shall be promptly performed.

2.3 Discharge Limitations [A.R.S. §§ 49-201(14), 49-243 and A.A.C. R18-9-A205(B)]

Not a condition of this permit

2.4 Point(s) of Compliance [A.R.S. § 49-244]

The POC is established at the following monitoring location:

POC	Locations	Latitude	Longitude	ADWR ID
MW-1	Located at the northwest corner of the landfill	33° 26' 16.7879" N	112° 20' 16.6446" W	55- 515753

Groundwater monitoring is not required under the terms of this permit. The Director may amend this permit to designate additional POCs, if information on groundwater gradients or groundwater usage indicates the need.

2.5 Monitoring Requirements [A.R.S. § 49-243(B) and (K)(1), A.A.C. R18-9-A206(A)]

Unless otherwise specified in this permit, all monitoring required in this permit shall continue for the duration of the permit, regardless of the status of the facility. Monitoring shall commence the first full monitoring period following permit issuance. All sampling, preservation and holding times shall be in accordance with currently accepted standards of professional practice. Trip blanks, equipment blanks and duplicate samples shall also be obtained, and Chain-of-Custody procedures shall be followed, in accordance with currently accepted standards of professional practice. Copies of laboratory analyses and Chain-of-Custody forms shall be maintained at the permitted facility. Upon request, these documents shall be made immediately available for review by ADEQ personnel.

2.5.1 Discharge Monitoring

Not a condition of this permit

2.5.2 Facility / Operational Monitoring

Post-closure monitoring inspections shall be conducted according to Section 4.2, Tables IIIA and IIIB. If any damage of the pollution control structures is identified during an inspection, proper repair procedures shall be performed. All repair procedures and materials used shall be documented in the Operation Inspection / Log Book (paper copies, forms or electronic data) of the

inspections and measurements required by this permit and shall be maintained at the location where day-to-day decisions are made regarding the operation of the facility. The log book shall be retained for ten years from the date of each inspection, and upon request, the permit and the log book shall be made immediately available for review by ADEQ personnel.

2.5.3 Groundwater Monitoring and Sampling Protocols

Routine groundwater monitoring is not required under the terms of this permit.

2.5.4 Surface Water Monitoring and Sampling Protocols

Routine surface water monitoring is not required under the terms of this permit.

2.5.5 Analytical Methodology

All samples collected for compliance monitoring shall be analyzed using Arizona state-approved methods. If no state-approved method exists, then any appropriate EPA-approved method shall be used. Regardless of the method used, the detection limits must be sufficient to determine compliance with the regulatory limits of the parameters specified in this permit. If all methods have detection limits higher than the applicable limit, the permittee shall follow the contingency requirements of Section 2.6 and may propose "other actions" including amending the permit to set higher limits. Analyses shall be performed by a laboratory licensed by the Arizona Department of Health Services, Office of Laboratory Licensure and Certification unless exempted under A.R.S. § 36-495.02.. For results to be considered valid, all analytical work shall meet quality control standards specified in the approved methods. A list of Arizona state-certified laboratories can be obtained at the address below:

Arizona Department of Health Services
Office of Laboratory Licensure and Certification
250 North 17th Avenue
Phoenix, AZ 85007
Phone: (602) 364-0720

2.5.6 Installation and Maintenance of Monitoring Equipment

Monitoring equipment required by this permit shall be installed and maintained so that representative samples required by the permit can be collected. If new groundwater wells are determined to be necessary, the construction details shall be submitted to the ADEQ Groundwater Section for approval prior to installation and the permit shall be amended to include any new points.

2.6 Contingency Plan Requirements

[A.R.S. § 49-243(K)(3), (K)(7) and A.A.C. R18-9-A204 and R18-9-A205]

2.6.1 General Contingency Plan Requirements

At least one copy of this permit and the approved contingency and emergency response plan submitted in the application shall be maintained at the location where day-to-day decisions regarding the operation of the facility are made. The permittee shall be aware of and follow the contingency and emergency plan.

Any AL that is exceeded or any violation of an AQL discharge limit (DL), or other permit condition shall be reported to ADEQ following the reporting requirements in Section 2.7.3.

Some contingency actions involve verification sampling. Verification sampling shall consist of the first follow-up sample collected from a location that previously indicated a violation or the exceedance of an AL. Collection and analysis of the verification sample shall use the same protocols and test methods to analyze for the pollutant or pollutants that exceeded an AL or violated an AQL. The permittee is subject to enforcement action for the failure to comply with any contingency actions in this permit. Where verification sampling is specified in this permit, it is the option of the permittee to perform such sampling. If verification sampling is not conducted within the timeframe allotted, ADEQ and the permittee shall presume the initial sampling result to be confirmed as if verification sampling has been conducted. The permittee is responsible for compliance with contingency plans relating to the exceedance of an AL or violation of a DL, AQL or any other permit condition.

2.6.2 Exceeding of Alert Levels

2.6.2.1 Exceeding of Alert Levels and Performance Levels

1. For post-closure performance levels, the permittee shall comply with the requirements as specified in Section 4.2, Tables IIIA and IIIB (Facility Inspections).
2. If a post-closure performance level set in Section 4.2, Tables IIIA and IIIB has been exceeded, the permittee shall:
 - a. Notify the ADEQ Water Quality Compliance Section within five days of becoming aware of the exceedance.
 - b. Submit a written report within 30 days after becoming aware of the exceedance. The report shall document all of the following:
 - (1) A description of the exceedance and its cause;
 - (2) the period of the exceedance, including exact date(s) and time(s), if known, and the anticipated time period during which the exceedance is expected to continue;
 - (3) any action taken or planned to mitigate the effects of the exceedance or spill, or to eliminate or prevent recurrence of the exceedance or spill;
 - (4) any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS; and
 - (5) any malfunction or failure of pollution control devices or other equipment or process.
3. The facility is no longer on alert status once the post-closure indicator no longer indicates that the performance level is being exceeded. The permittee shall, however, complete all tasks necessary to return the facility to its pre-alert post-closure condition.

2.6.2.2 Exceeding of Alert Levels Set for Discharge Monitoring

Not a condition of this permit

2.6.2.3 Exceeding of Alert Levels in Groundwater Monitoring

Not a condition of this permit

2.6.3 Discharge Limitations Violations

Not a condition of this permit

2.6.4 Aquifer Quality Limit Violation

Not a condition of this permit

2.6.5 Emergency Response and Contingency Requirements for Unauthorized Discharges pursuant to A.R.S. §49-201(12) and pursuant to A.R.S. § 49-241 That Are Not Addressed Elsewhere in Section 2.6

2.6.5.1 Duty to Respond

The permittee shall act immediately to correct any condition resulting from a discharge pursuant to A.R.S. § 49-201(12) if that condition could pose an imminent and substantial endangerment to public health or the environment.

2.6.5.2 Discharge of Hazardous Substances or Toxic Pollutants

In the event of any unauthorized discharge pursuant to A.R.S. § 49-201(12) of suspected hazardous substances (A.R.S. § 49-201(19)) or toxic pollutants (A.R.S. § 49-243(I)) on the facility site, the permittee shall promptly isolate the area and attempt to identify the discharged material. The permittee shall record information, including name, nature of exposure and follow-up medical treatment, if necessary, on persons who may have been exposed during the incident. The permittee shall notify the ADEQ Water Quality Compliance

Section within 24 hours upon discovering the discharge of hazardous material which (a) has the potential to cause an AWQS or AQL to be exceeded, or (b) could pose an endangerment to public health or the environment.

2.6.5.3 Discharge of Non-hazardous Materials

In the event of any unauthorized discharge pursuant to A.R.S. § 49-201(12) of non-hazardous materials from the facility, the permittee shall promptly attempt to cease the discharge and isolate the discharged material. Discharged material shall be removed and the site cleaned up as soon as possible. The permittee shall notify the ADEQ Water Quality Compliance Section within 24 hours upon discovering the discharge of non-hazardous material which (a) has the potential to cause an AQL to be exceeded, or (b) could pose an endangerment to public health or the environment.

2.6.5.4 Reporting Requirements

The permittee shall submit a written report for any unauthorized discharges reported under Sections 2.6.5.2 and 2.6.5.3 to ADEQ Water Quality Compliance Section within 30 days of the discharge or as required by subsequent ADEQ action. The report shall summarize the event, including any human exposure, and facility response activities and include all information specified in Section 2.7.3. If a notice is issued by ADEQ subsequent to the discharge notification, any additional information requested in the notice shall also be submitted within the time frame specified in that notice. Upon review of the submitted report, ADEQ may require additional monitoring or corrective actions.

2.6.6 Corrective Actions

Specific contingency measures identified in Section 2.6 have already been approved by ADEQ and do not require written approval to implement.

With the exception of emergency response actions taken under Section 2.6.5, the permittee shall obtain written approval from the Groundwater Section prior to implementing a corrective action to accomplish any of the following goals in response to exceeding an AL or violation of an AQL, DL, or other permit condition:

1. Control of the source of an unauthorized discharge;
2. Soil cleanup;
3. Cleanup of affected surface waters;
4. Cleanup of affected parts of the aquifer; and/or
5. Mitigation to limit the impact of pollutants on existing uses of the aquifer.

Within 30 days of completion of any corrective action, the operator shall submit to the ADEQ Water Quality Compliance Section, a written report describing the causes, impacts, and actions taken to resolve the problem.

2.7 Reporting and Recordkeeping Requirements

[A.R.S. § 49-243(K)(2) and A.A.C. R18-9-A206(B) and R18-9-A207]

2.7.1 Self-monitoring Report Form

Not required under the terms of this permit

2.7.2 Operation Inspection / Log Book Recordkeeping

A signed copy of this permit shall be maintained at all times at the location where day-to-day decisions regarding the operation of the facility are made. A log book (paper copies, forms or electronic data) of the inspections and measurements required by this permit shall be maintained at the location where day-to-day decisions are made regarding the operation of the facility. The log book shall be retained for ten years from the date of each inspection, and upon request, the permit and the log book shall be made immediately available for review by ADEQ personnel. The information in the log book shall include, but not be limited to, the following information as applicable:

1. Name of inspector;
2. Date and shift inspection was conducted;
3. Condition of applicable facility components;
4. Any damage or malfunction, and the date and time any repairs were performed;
5. Documentation of sampling date and time;
6. Any other information required by this permit to be entered in the log book; and
7. Monitoring records for each measurement shall comply with R18-9 A206(B)(2).

2.7.3 Permit Violation and Alert Level Status Reporting

1. The permittee shall notify the Water Quality Compliance Section in writing within 5 days (except as provided in Section 2.6.5) of becoming aware of a violation of any permit condition, discharge limitation or of an AL exceedance.
2. The permittee shall submit a written report to the Water Quality Compliance Section within 30 days of becoming aware of the violation of any permit condition or discharge limitation. The report shall document all of the following:
 - a. Identification and description of the permit condition for which there has been a violation and a description of its cause;
 - b. The period of violation including exact date(s) and time(s), if known, and the anticipated time period during which the violation is expected to continue;
 - c. Any corrective action taken or planned to mitigate the effects of the violation, or to eliminate or prevent a recurrence of the violation;
 - d. Any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS;
 - e. Proposed changes to the monitoring which include changes in constituents or increased frequency of monitoring; and
 - f. Description of any malfunction or failure of pollution control devices or other equipment or processes.

2.7.4 Operational, Other or Miscellaneous Reporting

The permittee shall record the information requested in Tables IIIA and IIIB in the facility log book as per Section 2.7.2, and report to ADEQ any violations or exceedances as per Section 2.7.3.

2.7.5 Reporting Location

All documents required by this permit to be submitted to the Water Quality Compliance Section shall be directed to:

Arizona Department of Environmental Quality
Water Quality Compliance Section
Mail Code: 5415B-1
1110 W. Washington Street
Phoenix, AZ 85007
Phone (602) 771-4497

All documents required by this permit to be submitted to the Groundwater Section shall be directed to:

Arizona Department of Environmental Quality
Groundwater Section
Mail Code: 5415B-3
1110 W. Washington Street
Phoenix, AZ 85007
Phone (602) 771-4428

2.7.6 Reporting Deadline

Not required under the terms of this permit

2.7.7 Changes to Facility Information in Section 1.0

The Groundwater Section and Water Quality Compliance Section shall be notified within 10 days of any change of facility information including Facility Name, Permittee Name, Mailing or Street Address, Facility Contact Person or Emergency Telephone Number.

2.8 Temporary Cessation [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A209(A)]

The facility is a closed solid waste landfill, and there are no industrial activities occurring at the facility subject to temporary cessation requirements.

2.9 Closure [A.R.S. §§ 49-243(K)(6), 49-252 and A.A.C. R18-9-A209(B)]

The facility addressed under this permit is a closed solid waste landfill and there are no industrial activities occurring at the facility subject to closure requirements. Operations consist solely of implementing post-closure monitoring and maintenance at the facility.

2.10 Post-closure [A.R.S. §§ 49-243(K)(6), 49-252 and A.A.C. R18-9-A209(C)]

All specific conditions identified in this permit are post-closure care requirements. The Post-closure requirements were established for 30 years and shall continue until October 30, 2016.

2.10.1 Post-closure Completion

The permittee may submit a written request to be released from the post closure requirements on or after October 30, 2016.

3.0 COMPLIANCE SCHEDULE [A.R.S. § 49-243(K)(5) and A.A.C. R18-9-A208]

For each compliance schedule item listed below, the permittee shall submit the required information, including a cover letter that lists the compliance schedule items, to the Groundwater Section. A copy of the cover letter must also be submitted to the Water Quality Compliance Section.

Not required under the terms of this permit.

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4.0 TABLES OF MONITORING REQUIREMENTS

4.1 PRE-OPERATIONAL MONITORING (OR CONSTRUCTION REQUIREMENTS)

**TABLE I
INITIAL START-UP PLAN**

Not applicable at permit issuance.

4.0 TABLES OF MONITORING REQUIREMENTS

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

**TABLE I
ROUTINE DISCHARGE MONITORING**

Not applicable at permit issuance.

4.0 TABLES OF MONITORING REQUIREMENTS

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

**TABLE II
GROUNDWATER MONITORING**

Not applicable at permit issuance.

4.0 TABLES OF MONITORING REQUIREMENTS

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

**TABLE IIIA
FACILITY INSPECTION (POST-CLOSURE MONITORING)
LANDFILL**

Pollution Control Structure/Parameter	Performance Level	Inspection Frequency	Reporting Frequency¹
Final Cover System	No significant erosion, cracking or ponding of water.	Quarterly	Per event ²
Drainage System	Stormwater draining away from final cover	Quarterly	Per event
Monitoring well MW-1	No damage and locked	Quarterly	Per event

¹ If any damage of the pollution control structures is identified during an inspection, all repair procedures and materials used shall be documented in the Operation Inspection / Log Book of the inspections and measurements required by this permit. The permittee shall submit a written report to the Water Quality Compliance Section within 30 days of becoming aware of the violation of any permit condition or discharge limitation.

² The permittee shall submit a written report to the Water Quality Compliance Section within 30 days of becoming aware of the violation of any permit condition or discharge limitation.

4.0 TABLES OF MONITORING REQUIREMENTS

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

TABLE IIIB
FACILITY INSPECTION (POST-CLOSURE MONITORING)
GAS VENTILATION SYSTEM

Pollution Control Structure/Parameter	Performance Level	Inspection Frequency	Reporting Frequency³
Gas Ventilation System	Functioning properly, secured to limit public access	Quarterly	Per event ⁴
Gas migration monitoring probes	No damage and locked	Quarterly	Per event
Landfill Gases ⁵	Measure methane, carbon dioxide and oxygen	Quarterly	Per event

³ If any damage of the pollution control structures is identified during an inspection, all repair procedures and materials used shall be documented in the Operation Inspection / Log Book of the inspections and measurements required by this permit. The permittee shall submit a written report to the Water Quality Compliance Section within 30 days of becoming aware of the violation of any permit condition or discharge limitation.

⁴ The permittee shall submit a written report to the Water Quality Compliance Section within 30 days of becoming aware of the violation of any permit condition or discharge limitation.

⁵ Gas Migration Monitoring Probes shall be used to monitor methane, carbon dioxide and oxygen levels.

5.0 REFERENCES AND PERTINENT INFORMATION

The terms and conditions set forth in this permit have been developed based upon the information contained in the following, which are on file with the Department:

1. APP Application dated – October 7, 2013
2. Public Notice dated [REDACTED].
3. Public Hearing dated [REDACTED].
4. Responsiveness Summary dated [REDACTED].

6.0 NOTIFICATION PROVISIONS

6.1 Annual Registration Fees

The permittee is notified of the obligation to pay an Annual Registration Fee to ADEQ. The Annual Registration Fee is based upon the amount of daily influent or discharge of pollutants in gallons per day as established by A.R.S. § 49-242.

6.2 Duty to Comply [A.R.S. §§ 49-221 through 49-263]

The permittee is notified of the obligation to comply with all conditions of this permit and all applicable provisions of Title 49, Chapter 2, Articles 1, 2 and 3 of the Arizona Revised Statutes, Title 18, Chapter 9, Articles 1 through 4, and Title 18, Chapter 11, Article 4 of the Arizona Administrative Code. Any permit non-compliance constitutes a violation and is grounds for an enforcement action pursuant to Title 49, Chapter 2, Article 4 or permit amendment, suspension, or revocation.

6.3 Duty to Provide Information [A.R.S. §§ 49-243(K)(2) and 49-243(K)(8)]

The permittee shall furnish to the Director, or an authorized representative, within a time specified, any information which the Director may request to determine whether cause exists for amending or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

6.4 Compliance with Aquifer Water Quality Standards [A.R.S. §§ 49-243(B)(2) and 49-243(B)(3)]

The permittee shall not cause or contribute to a violation of an aquifer water quality standard at the applicable point of compliance for the facility. Where, at the time of issuance of the permit, an aquifer already exceeds an aquifer water quality standard for a pollutant, the permittee shall not discharge that pollutant so as to further degrade, at the applicable point of compliance for the facility, the water quality of any aquifer for that pollutant.

6.5 Technical and Financial Capability

[A.R.S. §§ 49-243(K)(8) and 49-243(N) and A.A.C. R18-9-A202(B) and R18-9-A203(E) and (F)]

The permittee shall have and maintain the technical and financial capability necessary to fully carry out the terms and conditions of this permit. Any bond, insurance policy, trust fund, or other financial assurance mechanism provided as a demonstration of financial capability in the permit application, pursuant to A.A.C. R18-9-A203(D), shall be in effect prior to any discharge authorized by this permit and shall remain in effect for the duration of the permit.

6.6 Reporting of Bankruptcy or Environmental Enforcement [A.A.C. R18-9-A207(C)]

The permittee shall notify the Director within five days after the occurrence of any one of the following:

1. The filing of bankruptcy by the permittee.
2. The entry of any order or judgment not issued by the Director against the permittee for the enforcement of any environmental protection statute or rule.

6.7 Monitoring and Records [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A206]

The permittee shall conduct any monitoring activity necessary to assure compliance with this permit, with the applicable water quality standards established pursuant to A.R.S. §§ 49-221 and 49-223 and §§ 49-241 through 49-252.

6.8 Inspection and Entry [A.R.S. §§ 41-1009, 49-203(B) and 49-243(K)(8)]

In accordance with A.R.S. §§ 41-1009 and 49-203(B), the permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to enter and inspect the facility as reasonably necessary to ensure compliance with Title 49, Chapter 2, Article 3 of the Arizona Revised Statutes, and Title 18, Chapter 9, Articles 1 through 4 of the Arizona Administrative Code and the terms and conditions of this permit.

6.9 Duty to Modify [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A211]

The permittee shall apply for and receive a written amendment before deviating from any of the designs or operational practices specified by this permit.

6.10 Permit Action: Amendment, Transfer, Suspension & Revocation

[A.R.S. §§ 49-201, 49-241 through 251, A.A.C. R18-9-A211, R18-9-A212 and R18-9-A213]

This permit may be amended, transferred, renewed, or revoked for cause, under the rules of the Department.

The permittee shall notify the Groundwater Section in writing within 15 days after any change in the owner or operator of the facility. The notification shall state the permit number, the name of the facility, the date of property transfer, and the name, address, and phone number where the new owner or operator can be reached. The operator shall advise the new owner or operators of the terms of this permit and the need for permit transfer in accordance with the rules.

7.0 ADDITIONAL PERMIT CONDITIONS

7.1 Other Information [A.R.S. § 49-243(K)(8)]

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, the permittee shall promptly submit the correct facts or information.

7.2 Severability

[A.R.S. §§ 49-201, 49-241 through 251, A.A.C. R18-9-A211, R18-9-A212 and R18-9-A213]

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. The filing of a request by the permittee for a permit action does not stay or suspend the effectiveness of any existing permit condition.

7.3 Permit Transfer

This permit may not be transferred to any other person except after notice to and approval of the transfer by the Department. No transfer shall be approved until the applicant complies with all transfer requirements as specified in A.A.C. R18-9-A212(B) and (C).